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#### Declaration under Rule 4.17:

— of inventorship (Rule 4.17(iv)) for US only

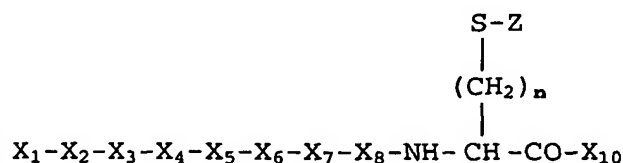
#### Published:

— with international search report

— before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(54) Title: BONE GROWTH FACTOR



(I)

(57) Abstract: A compound having bone stimulatory activity. In Formula (I), X<sub>1</sub> and X<sub>10</sub> are positively charged polar amino acids; X<sub>4</sub> and X<sub>8</sub> are negatively charged polar amino acids; X<sub>5</sub> is an aromatic amino acid; X<sub>2</sub>, X<sub>3</sub>, X<sub>6</sub> and X<sub>7</sub> are non polar neutral amino acids or uncharged polar amino acids; Z represents a blocking group; and n is an integer from 1 to 3.

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# INTERNATIONAL SEARCH REPORT

International Application No.

A 03/01898

A. CLASSIFICATION OF SUBJECT MATTER  
IPC 7 C07K14/51 A61K38/18

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)  
IPC 7 C07K A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

WPI Data, PAJ, CHEM ABS Data, MEDLINE, BIOSIS, EPO-Internal

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 00/75185 A (OSTEOPHARM INC ;TAM CHERK SHING (CA)) 14 December 2000 (2000-12-14) cited in the application The whole document; see particularly claims 1-8; fig.15 -----	1-22

☐ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

### \* Special categories of cited documents :

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the International filing date but later than the priority date claimed

- \*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- \*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- \*&\* document member of the same patent family

Date of the actual completion of the international search

4 May 2004

Date of mailing of the international search report

11/05/2004

Name and mailing address of the ISA

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## FURTHER INFORMATION CONTINUED FROM PCT/SA/ 210

Continuation of Box I.2

Claims Nos.: 1,3-5,9,10,17-22(all partially)

The expressions used in claim 1 to define the relevant amino acid residues do not unambiguously define said amino acid residues, rendering (the scope of) said claim unclear under Art.6 PCT.: e.g., they are not restricted to natural amino acid residues and therefore encompass a plethora of undefined non-natural amino acids. Furthermore the adjective "aromatic" comprises, according to claim 2, a histidine residue and therefore is apparently not used in its recognized meaning. Consequently the search has been directed to claim 2 and the relevant subject-matter of the claims 3-22 (the "second" claim 20 has been renumbered in claim 22).

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/CA 03/01898

## Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:  
Although claims 17 and 18 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2. ☒ Claims Nos.: 1,3-5,9,10,17-22(all partially)  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:  
see FURTHER INFORMATION sheet PCT/ISA/210
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

### Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

Information on patent family members

International Application No

CA 03/01898

Patent document cited in search report		Publication date		Patent family member(s)	Publication date
WO 0075185	A	14-12-2000	AU WO	5379200 A 0075185 A1	28-12-2000 14-12-2000